

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

February 4, 2013 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Jim Sides, Chairman
Craig Pierce, Vice-Chairman
Jon Barber, Member
Mike Caskey, Member
Chad Mitchell, Member

County Manager Gary Page, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Sides convened the meeting at 3:00 p.m.

Chairman Sides recognized and welcomed reporters Nathan Hardin (Salisbury Post) and Steve Mensing (Rowan Free Press).

Commissioner Mitchell provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the minutes of the January 22, 2013 Special Meeting and the January 22, 2013 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Chairman Sides moved to add a Resolution in support of the North Carolina Association of County Commissioners 2013-14 legislative goals.

Chairman Sides added the issue as agenda item #3a.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Chairman Sides said two (2) items, Item A and Item B, needed to be pulled from the Consent Agenda for discussion. Chairman Sides stated there were a couple of minor changes needed to the two (2) documents. Chairman Sides moved the topics to agenda items #3b and #3c.

Commissioner Barber moved approval of the Consent Agenda as amended. The motion was seconded by Commissioner Pierce and passed unanimously.

The Consent Agenda consisted of the following:

- A. Set Public Hearing for February 18, 2013 to Consider Adoption of Solid Waste Management Plan Update (moved to agenda item #3b for discussion)
- B. Adoption of 2011 CDBG Program Policies, Procedures, Plans, Resolutions and Ordinances (moved to agenda item #3c for discussion)
- C. Change Order to Motorola Contract and Budget Amendment
- D. Purchase of Communications Recording System

2. PUBLIC COMMENT PERIOD

Chairman Sides opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Joe Teeter provided a handout and a DVD. Mr. Teeter also provided the Chairman with a report, which he asked the Chairman to share with the other board members. Mr. Teeter spoke in support of the Resolution on the agenda pertaining to the right to bear arms.
- Valeria Levy spoke concerning the Medicaid expansion plan and provided the Board with a list of questions to answer.
- John Burke discussed the proposed increase in sales tax and said he did not see the where the benefit for sales tax would be.

With no one else wishing to address the Board, Chairman Sides closed the Public Comment Period.

3. DISCUSSION REGARDING PUBLIC HEARING FOR PROPOSED CENTRAL OFFICE FOR ROWAN SALISBURY SCHOOL SYSTEM

County Manager Gary Page said the decision to delay discussion for the proposed Central Office for the Rowan Salisbury School System (RSSS) for sixty (60) days was made by the Commissioners on December 3, 2012. Mr. Page said the seating of the newly elected Board of Education (BOE) members had

taken place and provided the Commissioners with the options of taking action on the BOE's request, allowing further discussion, or extending the delay.

Commissioner Barber discussed the previous Board of Commissioners (BOC) decision to fund a central office building in an amount up to \$6 million with the BOE deciding on the location. Commissioner Barber noted the BOC should not attempt to decide the location through a political manipulation process and that the BOC should not micromanage the school systems' decisions. Commissioner Barber said waiting two (2) to three (3) years would mean higher construction and interest costs, and paying more for the same building. Commissioner Barber said the City of Salisbury (City) had offered to add \$2 million to the project and to pursue a joint financing arrangement in order to accomplish consolidation for RSSS. Commissioner Barber said he believed the County should join the partners and move the project forward today with a joint financing arrangement.

Commissioner Barber moved to reaffirm the up to \$6 million with no restrictions commitment that the Board made last year, and direct staff to work with the school system and City staff on a joint financing arrangement. Commissioner Mitchell seconded the motion and felt the Board needed to make a decision on the issue and the issue needed to be voted up or down.

Commissioner Mitchell discussed property concerns and possible ground water contamination at the site. Commissioner Mitchell said if the vote was in the affirmative, he would like to see some qualifications put on as to what had to happen prior to the property being accepted by the County. Commissioner Mitchell said the normal clearance policies should be followed, and the City and the school system would need to understand what the County's requirements were for accepting property. Commissioner Mitchell said if the County approved the loan, regardless of who was paying, the Local Government Commission (LGC) required the property to be in the County's name and it should have to follow normal property procurement policies. Commissioner Mitchell said the City was working to clean up the property and if the County accepted the property, the liability for the clean up would transfer to the County. Commissioner Mitchell said he wanted to ensure the County had no liability. Commissioner Mitchell also discussed the joint financing venture with the City and he questioned procedurally, the LGC requirements for the lien on the property. Commissioner Mitchell said some of the legal loop holes that might have to be gone through could be quite significant in order to make the LGC happy with the arrangement.

Commissioner Mitchell said while he had supported the \$6 million, as well as the BOE selecting the site, the current site selected had some serious issues that would have to be cleaned up before the BOC was willing to accept ownership of the property. Commissioner Mitchell said the need had been demonstrated and the revenue stream had been identified to pay for the project, but he felt there needed to be assurances on some of the issues. Commissioner Mitchell went on

to say that if the motion were to fail, there would be time to discuss another location, plan, and time line, but something would need to be decided in terms of what the BOE needed to do next. Commissioner Mitchell said a previous BOC had approved up to \$6 million; however, the project never got to the point where it was doable. Therefore, Commissioner Mitchell said the letter of commitment for the \$6 million was null and void since there was now a different BOC.

Commissioner Caskey said he was on record in opposition to the project and did not feel he could add anything additional today.

Commissioner Pierce said when he and Commissioner Barber attended the joint meeting with BOE and the City he had made it clear the decision was down to “a where and when”. Commissioner Pierce stated that when the former BOC approved the \$6 million, the BOC was told there was a “where” and today there was no “where”. Commissioner Pierce said if the money was approved today, the building could not be built. Commissioner Peirce said as a Commissioner he could not go to the LGC asking for approval when the County did not have what the LGC would require, which was a location. Commissioner Pierce said for the Board to even consider the funding would be a dereliction of duties until there was a site acceptable and buildable. Commissioner Pierce said until the BOC received that piece of information he was not able to support the funding.

Mr. Page discussed the property clean up and environmental assessment. Mr. Page said the County’s environmental consultant had been put on notice in the event the Board voted 3-2 to follow through with the \$6 million for the project and the City would want to transfer the deed to the County. Mr. Page said the consultant had only asked for information submitted to DENR at this point through freedom of information. Mr. Page explained that staff took the position if the Board wanted to move forward when the City did their final cleanup and had a letter stating everything was in order, the consultant would review the information. The County could then move forward in taking ownership and talking with the LGC. According to Mr. Page, the County would have the property as collateral and own the building for the ten (10) years until it was paid off. Mr. Page reported that all these items would be part of the approval process by the LGC. Mr. Page mentioned that the County’s consultant was aware of what was being done but had not incurred any expense or made any studies on the site. Mr. Page said until the County knew whether there was a project, there was no need to expend money or get too far into the process.

Chairman Sides stated that if the downtown piece of property were clean today, according the City, and the Board was prepared to proceed, there would still need to be a timeline to follow before accepting the deed. Chairman Sides said County staff was competent and provided services to the citizens of Rowan County, making sure the County did not take on liability that was not deserved. Chairman Sides explained that staff would take all of the documents and determine that everything had been done properly. Chairman Sides said that at

this point in time, the property was not clean; the property was not in a state that a deed could be offered, and not in a state the Board could go to the LGC and request funds. Therefore, Chairman Sides said he could not vote to proceed.

Upon being put to a vote, the motion failed 2-3 with Commissioners Sides, Pierce and Caskey dissenting.

Commissioner Caskey moved that the County offer the old DSS buildings on West Innes and Mahaley Avenue to the RSSS to replace the Long Street offices and additional space available at the corporate center office. The terms would be as follows: Property could be used free of charge by the school system until the central office can be agreed upon by RSSS and County or until RSSS decides to move locations. The decision must be returned to the County within thirty (30) days from today. In addition, the County will offer to the school system a loan of up to \$250,000 for updates to the building. The loan would be interest free and would be repaid in increments of \$50,000 over five (5) years. Commissioner Pierce seconded the motion.

Commissioner Pierce said that the \$50,000 Commissioner Caskey was using to fund or repay this loan would be offset by the rent that the RSSS is paying to be in the corporate offices downtown. Commissioner Pierce said this was a lateral move using funds that would be spent and provided a way to move their administration out of the Long Street and Corporate Center Offices. Commissioner Pierce said it would give somewhat of a consolidation and bring the school system a little better in line with their ultimate goal. Commissioner Pierce said it would provide time to see what the disposition was of the lot located in downtown Salisbury. Commissioner Pierce also said it would provide time to explore other options as well.

Commissioner Mitchell said that for years, the Board had agreed the Long Street Offices should not have another dime spent on them in terms of renovations or bringing those offices up to date. Commissioner Mitchell said with the decision to not move forward with the previous proposal, he certainly supported Commissioner Caskey's offer. Commissioner Mitchell said the Board had never made the offer publicly and formally, and it would provide an option out of Long Street.

Commissioner Caskey said it was a temporary fix to the problem in that RSSS would eventually build a central office. Commissioner Caskey said this would allow some schools to be built at the same time, and the offer was a compromise. According to Commissioner Caskey, the County offering to loan some money to the schools, was reaching out and the offer was a first step towards working better together.

The motion on the floor passed 4-1 with Commissioner Barber dissenting.

ADDITION

3a. RESOLUTION IN SUPPORT OF THE NCACC LEGISLATIVE GOALS

Chairman Sides explained that as the voting delegate appointed to the meeting, he wanted to share that there were various goals presented to the Association, of which some were approved and some were not. Chairman Sides said this Conference was where counties have a vote on these goals. Chairman Sides explained that each legislative goal required a vote from the voting delegate.

Chairman Sides read the Resolution as follows:

WHEREAS, the North Carolina Association of County Commissioners was founded in 1908 as a membership organization to represent the interests of counties before the General Assembly;

WHEREAS, all 100 counties are voluntary members of the North Carolina Association of County Commissioners, making the NCACC the official voice of North Carolina counties;

WHEREAS, every two years, the membership of the NCACC develops and approves a package of legislative proposals designed to protect and enhance the interests of county governments and the citizens who live in our 100 counties;

WHEREAS, the process to generate this package of legislative goals is deliberate and inclusive and provides extensive opportunities for counties to be involved;

WHEREAS, Rowan County is an active participant within the NCACC and participated in the process to develop these legislative proposals;

WHEREAS, more than 200 county officials representing 88 counties gathered in Durham County on Jan. 24-25, 2013, and debated and ultimately approved 60 proposals submitted by counties to be included in the legislative goals package;

WHEREAS, the attached proposals represent the collective wishes of all 100 counties;

NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners adopts this resolution in support of the legislative proposals adopted by the NCACC membership at its 2013 Legislative Goals Conference;

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Rowan County to let them know of our support for these issues.

Chairman Sides moved to approve the Resolution and Commissioner Barber seconded. The motion passed unanimously.

3b. SET A PUBLIC HEARING FOR FEBRUARY 18, 2013 TO CONSIDER ADOPTION OF SOLID WASTE MANAGEMENT PLAN UPDATE

(This item was pulled from the Consent Agenda for discussion).

Chairman Sides said he had read through the document and he felt there were two (2) items that needed to be changed. Chairman Sides said he would leave this on the agenda to schedule the public hearing for February 18, 2013 and before that date staff would make any approved changes,

Chairman Sides noted that revised copies of the plan would be made available before February 18, 2013.

Chairman Sides noted on page 25, under Purchase of Recycle Products, the current program stated that “no required recycle product purchasing program is in place at this time for Rowan County”. Chairman Sides said he had discussed the matter with the County Manager, Gary Page, and Mr. Page indicated that staff could be notified this was the official adopted policy, which was for Rowan County to follow the same policy for procurement of recycled products as all State agencies, the local Community College and the County Schools. Chairman Sides made note it was legislatively required of these agencies to purchase recycled products and that the recycled products were to be purchased whenever economically feasible and practical.

Chairman Sides moved to the next statement stating that “procurement of recycled products could be encouraged more if the County and the municipalities had a policy that required the purchase of these supplies”. Chairman Sides said he wanted to change the statement to read “Rowan County will continue to encourage all municipalities to mirror the County policy, as well”. Chairman Sides said these changes would make the document cleaner and show that the County was taking a proactive stance towards using recycled products whenever possible. Chairman Sides said the only other change was on the Emergency Site selection evaluation sheets where incorrect contact names were contained.

Commissioner Mitchell moved to set the public hearing with the recommended changes. Commissioner Barber seconded and the motion passed unanimously.

3c. ADOPTION OF 2011 CDBG PROGRAM POLICIES, PROCEDURES, PLANS, RESOLUTIONS AND ORDINANCES

(This item was pulled from the Consent Agenda for discussion).

Ed Muire, Planning and Development Director, said the material in the agenda packets was a variety of plans, policies and procedures, and ordinances as they pertained to the 2011 CDBG project. Mr. Muire said the material had been submitted to Division of Community Assistance (DCA) for review and in the event there were changes, they would notify the County. Mr. Muire said the Fair Housing Plan needed to use the DCA template. Mr. Muire said the real change was in the schedule that had the quarterly activities the County had indicated they would conduct to promote fair housing during the grant cycle. Mr. Muire said these activities were more or less contained in the previous document. Mr. Muire said an Administrative Contract was awarded, a Language Access Plan was adopted, and notices were posted in various administration buildings that interpreter services were available. Mr. Muire pointed out that midway through the document, April to June, 2014, the County was required to provide or conduct a Fair Housing Workshop and that had been proposed to be in conjunction with the Salisbury Community Development Corporation, a new housing partner for the Urgent Repair Program as well as the HOME Program. Mr. Muire went on to describe the April to June, 2015 change, which proposed to have the Planning Board evaluate the current set of Ordinances for any possible barriers to creating

affordable housing. Mr. Muire said these efforts were what the County was promoting as it related to the CDBG project. Mr. Muire said once again the information was using the DCA template and it was hoped this would be approved.

Commissioner Mitchell moved approval with the changes and Commissioner Pierced seconded. The motion passed unanimously.

4. CONSIDER APPROVAL OF RESOLUTION TO SEEK LEGISLATION TO IMPLEMENT A ONE PERCENT LOCAL OPTION SALES TAX

Commissioner Pierce presented a Resolution to request Rowan County's Legislative delegation to take the steps necessary for passage of a bill to allow a one percent local option sales tax to be place on the November 2013 ballot. Mr. Pierce said the citizens of Rowan County should vote as to whether the sales tax would be in the best interest of the County.

Commissioner Pierce said the Board previously discussed the implementation of a one cent sales tax option with the benefit of establishing a capital improvement fund, as well as absorb the 2 ½ cent increase for the construction at Rowan Cabarrus Community College (RCCC). Commissioner Pierce said the sales tax increase would also offer at least a 2 cent property tax reduction. Commissioner Pierce made a correction to the proposed Resolution saying it should read at a minimum of 2 cents, rather than 4 cents. Commissioner Pierce said the 4 cents was what had been projected, but the County had to collect a certain amount of revenue to go to that maximum of 4 cents. Commissioner Pierce said he would like the Resolution to read "a minimum of 2 cents". Commissioner Pierce also addressed the issue of renters paying property tax, using several illustrations. Commissioner Pierce said he wanted people to understand this was not designed to give people that own rental property an upper hand to increase their margin of profit, but rather to set up a capital improvement fund to annually fund such improvements. Commissioner Pierce said the sales tax would allow distribution to the municipalities so that it could be used in the areas needed for capital improvements or if they wanted to decrease their property taxes. Commissioner Pierce said that if the sales tax was not passed, the County would have to institute a tax to every property owner in the County. Commissioner Pierce said he has spoken with several of the County's legislative delegation members who had agreed to take the Resolution to the General Assembly. Commissioner Pierce reiterated the Resolution was only seeking approval to put the matter on a ballot, not for the General Assembly to pass the sales tax without the citizens of Rowan County being able to vote on the matter.

Mr. Page highlighted some of the advantages and disadvantages of the proposal. Mr. Page said he also needed to correct a couple of items with one being to clarify the \$3.4 million was per year in capital improvements was over the next ten (10) years.

Chairman Sides pointed out these were the capital improvements already in place with debt service payments the County was obligated to make within the next ten (10) years, regardless of whether the County received the funds through this tax or a property tax or absorbs the funds from the fund balance. Chairman Sides said the \$3.4 million had not been allocated so far in any budget.

Mr. Page asked that the Board amend the Resolution to clarify that the \$3.4 million was per year for the next ten (10) years. Mr. Page discussed a second change as being contained in the paragraph, "Therefore be it Resolved, that the Rowan County Board of Commissioners does hereby request our Legislative Delegation to take the steps necessary for passage of a bill to allow Rowan County to place the question of an additional one percent (1%) local option sales tax on the November, 2013 ballot through a referendum to its' citizens". Mr. Page said he put the date as November, 2013 and should it pass, it would be July of 2014 before the County could collect a penny. Mr. Page said he wanted to clear up that this November was a municipal election and not a County wide election. Mr. Page said the legislature wanted to see bills of this nature in November, and not other times of the year. Mr. Page said if the board should choose to wait until 2014, when there would be a countywide election, it would be June or July of 2015 before the County could collect any money.

Commissioner Mitchell said part of this tax would go to replace previous voter approved tax increases that were not enacted. Commissioner Mitchell went on to look at what 2 cents off on property tax would provide versus the one cent on sales tax, factoring in that the Board would have to enact the $\frac{1}{4}$ cent property tax increase for the Community College, and that the County was still hanging on to not raising the full 6.7 cents on the property tax from the last school bond. Commissioner Mitchell said the Board raised taxes by 2.5 cents of the approved 6.7 cents. Commissioner Mitchell said if the Board was to actually enact the total amount that was currently voter approved, the Board would be looking at 4.5 cent property tax increase. The one cent sales tax was covering potentially more than the 2 cent property tax reduction. Commissioner Mitchell said the Board was taking all illegitimate pretenses away from the argument and putting it matter before the consumers of whether to pay a tax or not.

Commissioner Caskey voiced his opposition to the proposed sales tax due not wanting to bring any more funds out of the local economy.

Chairman Sides said that legislatively, the Board could ask the legislature to enact the one cent sales tax, without a vote of the people, for this County; however, he said the Board felt the citizens should have input. Chairman Sides said the Board had been very responsible with the County's money over the last six (6) or seven (7) years by cutting the budget, letting employees go, implementing furloughs, and basically taking away everything that could be taken away. Chairman Sides said he felt the County was operating on a bare bones budget saying the staff had done a super job, along with the County

Commissioners, in acting very responsibly. Chairman Sides said he took pride in saying the Board had not had to vote for tax increases to pay for RCCC bonds and other capital projects. Chairman Sides said at some point the County would have to raise taxes and he felt a sales tax was better than a property tax.

Chairman Sides said the Board was asking for the proposed sales tax to be put before the Legislature for authority to allow the citizens' vote on the matter. Chairman Sides said he would vote to send the Resolution to the County's legislative delegation; however, he was not sure he would vote for the tax when it came time to put the issue on the ballot.

Commissioner Pierce made a motion to seek legislation to implement a one cent sales tax option and send it to the General Assembly. Commissioner Pierce moved to have it in the form of the submitted Resolution with the three (3) changes indicated by the County Manager.

Commissioner Mitchell seconded and the motion passed 4-1 with Commissioner Caskey dissenting.

The Resolution was approved as follows:

WHEREAS, during the past four years Rowan County Government has found conditions increasingly difficult to provide basic public services to its' citizens in a depressed economy; and

WHEREAS, to maintain these necessary services will require the expenditure of \$3.4 million per year in capital improvements over the next ten (10) years; and

WHEREAS, Rowan County wishes to share the burden of paying for these services over a broader taxpayer base than just property owners; and

WHEREAS, Rowan County Commissioners wish to provide a new revenue stream for its' ten (10) municipalities by distributing \$1.6 million to assist in balancing their budgets in these difficult times; and

WHEREAS, Rowan County wishes to provide its' property owners with tax relief through a minimum of 2¢ ad valorem tax cut.

NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners does hereby request our Legislative Delegation to take the steps necessary for passage of a bill to allow Rowan County to place the question of an additional one percent (1%) local option sales tax on the November, 2013 ballot through a referendum to its' citizens.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the current Board of Commissioners wish to declare their desire for a ten (10) year sunset of this 1% tax, to be reviewed and determined by a future Board of Commissioners.

5. CONSIDER APPROVAL OF RESOLUTION TO PRESERVE AND DEFEND THE UNITED STATES CONSTITUTION AND NORTH CAROLINA CONSTITUTION

Commissioner Caskey presented a Resolution to preserve and defend the United States Constitution and the North Carolina Constitution, which was a Resolution he stated had been passed by several other counties. Commissioner Caskey said the Second Amendment of the U.S. Constitution provided each citizen the right to keep and bear arms. Commissioner Caskey said that with this Resolution the Board would be asking the General Assembly to come up with legislation that would countermand any executive orders that the President may enact that would violate the Constitution and also ask the County Manager to not use any local resources in the County that would violate the Constitution.

Commissioner Caskey read the Resolution read as follows:

Whereas, the Second Amendment to the U.S. Constitution states, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;"and

Whereas, Article I, Sec. 30 in the NC Constitution states "A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed;"and

Whereas, President Obama recently announced his 23 anti-gun initiatives – even going so far as to use Executive Orders to bypass our God given rights of self-defense; and

Whereas, a Militia when properly formed is in fact the people themselves ... and includes ... all men capable of bearing arms; and

Whereas, it being "necessary to the security of a free State" meant that the right of the people to bear arms was, and remains, the ultimate barrier to government tyranny; and

Whereas, gun control only ensures law-abiding citizens are powerless in the face of criminal threat; and

Now Therefore Be It Resolved that the Rowan County Board of Commissioners hereby defends the Second Amendment and Article I, Sec. 30 and will not bow down to unconstitutional laws, executive orders, or foreign/domestic tyranny. Furthermore, the Commissioners call upon the Governor and General Assembly of North Carolina to pass legislation that will guarantee the protection of our God-given right to self-defense for all North Carolinians; and

Be It Further Resolved, the County Manager be directed to see that no county paid staff participate in nor allow any county resources be used in the implementation or enforcement of any unconstitutional law, executive order or executive directive that infringe on the God-given right to self-defense.

Commissioner Mitchell said the Second Amendment was not designed for self-defense but to protect against tyranny of our government. Commissioner Mitchell said the government was now attempting to impose some tyrannical concepts in terms of removing the Second Amendment. Commissioner Mitchell felt the matter was something people needed to guard against constantly and he was glad Commissioner Caskey removed the Constitutional Convention

provision from the Resolution. Commissioner Mitchell explained there had only been two Constitutional Conventions in the history of the United States. Commissioner Mitchell said the Constitution needed to be used in the spirit that it was originally written and that was to allow people to keep and bear arms.

Commissioner Caskey moved to accept the Resolution as presented. Commissioner Pierce seconded and the motion passed unanimously

6. CONSIDER APPROVAL OF RESOLUTION TO REQUEST LEGISLATION TO EXEMPT CERTAIN RECORDS OF THE SHERIFF'S OFFICE FROM THE PUBLIC RECORDS ACT

Commissioner Caskey presented a Resolution to request to the Rowan County delegation to the NC General Assembly introduce and support legislation to exempt handgun purchase permits and concealed carry permits from the records of Sheriff's Offices from being accessible by the public at large. Commissioner Caskey said it was in the best interest of the citizens of the County and State to prevent public access to names, addresses, ages and other information contained on the concealed carry permits and handgun purchase permits.

Commissioner Caskey discussed various lists that were accessible by the public, as well as the safety and privacy concerns associated from those lists being available.

Commissioner Caskey read the resolution as follows:

The Resolution reads as follows:

WHEREAS, the Sheriff's Office in each county in the State of North Carolina is required to maintain records of the handgun purchase permits issued by the Sheriff's Office pursuant to North Carolina General Statute § 14-405 and concealed carry permits issued pursuant to North Carolina General Statute § 14-415.17; and

WHEREAS, these records include information such as name, address, age and other information as may be requested by the Sheriff's Office; and

WHEREAS, the Rowan County Board of Commissioners finds and declares that it is in the best interest of the citizens of the County and the State of North Carolina to prevent public access to this information; and

WHEREAS, the Rowan County Board of Commissioners recommends and supports legislation which exempts handgun purchase permits and concealed carry permits from the list of records of Sheriff's Offices, which are accessible by the public at large.

NOW, THEREFORE BE IT RESOLVED, that the Rowan County Board of Commissioners hereby requests the Rowan County delegation to the North Carolina General Assembly introduce and support legislation to exempt handgun purchase permits and concealed carry permits from the records of Sheriff's Offices that are accessible by the public at large.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Honorable Pat McCrory, North Carolina Governor, the Rowan County Legislative Delegation to the North

Carolina General Assembly, the North Carolina Association of County Commissioners, and to the other 99 North Carolina counties.

Commissioner Caskey moved, Commissioner Pierce seconded and the vote to accept the Resolution as presented passed unanimously.

7. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Sheriff's Office – To recognize excess revenue in explorer donations account and budget to proper expense account - \$800
- Social Services – Revise revenues based on Funding Authorizations received from the State. The State has received Federal TANF contingency funding and has included the allocation for the first three (3) quarters - \$26,496
- Social Services – Appropriate donated revenues to the coordinating expense account to provide goods and services to clients - \$500

Commissioner Mitchell moved approval of the budget amendments as presented. The motion was seconded by Commissioner Barber and passed unanimously.

8. CONSIDER APPROVAL OF BOARD APPOINTMENTS

Before considering board appointments, Commissioner Pierce noted that Leigh Anne Ellington had submitted an application for consideration to four (4) different advisory boards. Commissioner Pierce explained that he had contacted Ms. Ellington to inform her of the Board's policy to allow applicant's to serve on two (2) advisory boards at one time. Commissioner Pierce said Ms. Ellington had asked him to relay that she preferred to be considered for the Adult Care Home Advisory Committee and the Nursing Home Advisory Committee.

ADULT CARE HOME ADVISORY COMMITTEE

There are seven (7) vacancies and the following applications were received:

- Terrall Bryan for reappointment. The term is for three (3) years beginning March 1, 2013 and expiring February 28, 2016.

The following applicants would have a one year term beginning March 1, 2013 and expiring February 28, 2014.

- Colleen Harte Brown
- Deborah Louise Miller
- Leigh Anne Ellington

Commissioner Mitchell nominated Colleen Harte Brown, Deborah Louise Miller and Leigh Anne Ellington. The nominations passed unanimously.

NURSING HOME ADVISORY COMMITTEE

There are eight (8) vacancies and the following applications have been submitted:

- Nadine Lowman Potts
- Melissa Stowe Pierce
- Anita Byrd Jordan
- Leigh Anne Ellington

The terms are for one (1) year beginning March 1, 2013 and expiring February 28, 2014.

Commissioner Barber nominated Nadine Lowman Potts, Melissa Stowe Pierce, Anita Byrd Jordan and Leigh Anne Ellington. The nominations carried unanimously.

ROWAN PUBLIC LIBRARY BOARD

Chairman Sides moved to defer the Library Board appointments. Chairman Sides said there was a possibility the Library Board might reduce the number of its members and the proposed board appointments might not be needed.

ROWAN COUNTY LANDMARK COMMISSION

There are four (4) vacancies and the following submitted applications for consideration:

- Karen C. Lilly-Bowyer
- Denise Padgett Foutz
- Robert F. Boone

The terms are for three (3) years beginning February 1, 2013 and expiring January 31, 2016.

Commissioner Mitchell nominated Karen C. Lilly-Bowyer, Denise Padgett Foutz and Robert F. Boone. The nominations passed unanimously.

ROWAN COUNTY PERSONNEL COMMISSION

There is one (1) vacancy and the following applications have been received:

- Luther Darrell Johnson
- Leigh Anne Ellington

The term is for four (4) years beginning March 1, 2013 and expiring February 28, 2017.

Commissioner Pierce nominated Luther Darrell Johnson and the nomination carried unanimously.

CENTRALINA ECONOMIC DEVELOPMENT COMMISSION

- John Crawford Pruitt has submitted an application for consideration. The term is for two (2) years beginning March 1, 2013 and expiring February 28, 2015.

Commissioner Mitchell nominated John Crawford Pruitt and the nomination passed unanimously.

LOCAL EMERGENCY PLANNING COMMITTEE

The LEPC recommended the following changes to the committee:

- Fire Marshal Aaron Youngblood to replace Tom Murphy who retired.
- Alexander Gilk to replace Tad Helmstetler who has changed job duties.
- Judy Burris to replace Leonard who has retired.
- David Whisenant to represent additional media.

There are no term limits for this council.

Commissioner Barber moved to accept the recommendations as submitted by the Local Emergency Planning Committee. The motion was seconded by Commissioner Mitchell and passed unanimously.

ROWAN-IREDELL VFD FIRE COMMISSIONER

There are two (2) vacancies and the following applications have been received:

- Forrest S. Lloyd for reappointment
- Linda Fraley Watts for reappointment
- Gary Steele

The terms are for two (2) years beginning March 1, 2013 and expiring February 28, 2015.

Commissioner Barber nominated Linda Fraley Watts and Gary Steele. The nominations passed unanimously.

MILLER FERRY VFD RELIEF FUND BOARD OF TRUSTEES

There are two (2) vacancies and the following applications have been received:

- Howard Bean
- Larry D. Gobble
- Don Gobble

The terms are for two (2) years beginning February 1, 2013 and expiring December 31, 2014.

Commissioner Pierce nominated Larry D. Gobble and Don Gobble. The nominations passed unanimously.

ROCKWELL ZONING BOARD OF ADJUSTMENTS

There are three (3) vacancies and the following applications have been submitted for consideration:

- W. Scott Plyler
- Elizabeth Boltz
- Arnold Michael Cauble

The terms are for three (3) years beginning March 1, 2013 and expiring February 28, 2016.

Commissioner Barber nominated W. Scott Plyler, Elizabeth Boltz and Arnold Michael Cauble. The nominations passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 4:29 p.m. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Barger, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager